

16384. Misbranding of Bu-Ku-Jin elixir. U. S. v. 81 Cartons of Bu-Ku-Jin Elixir. Decree of condemnation entered. Ordered that product might be released under bond. (F. & D. No. 22739. I. S. No. 22155-x. S. No. 775.)

On May 2, 1928, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 81 cartons of Bu-Ku-Jin Elixir, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Tonkin Distributing Co., from San Francisco, Calif., and transported from the State of California into the State of Washington, arriving at Seattle on or about March 29, 1928, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of alcohol, sugar, and water with traces of flavoring oils and extractives from plant drugs including buchu.

It was alleged in the libel that the article was misbranded in that the following statements, borne on the labels, (bottle label) "An effective diuretic in kidney and bladder disorders," (display card) "The doctor says, 'In kidney and bladder disorders I recommend Bu-Ku-Jin Elixir,' (shipping carton) "Bu-Ku-Jin Elixir for kidney and bladder disorders," were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 25, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16385. Misbranding of Pneumatica. U. S. v. 9½ Dozen Packages of Pneumatica. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 23426. I. S. No. 03098. S. No. 1597.)

On or about February 26, 1929, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9½ dozen packages of Pneumatica, remaining in the original unbroken packages at Waterbury, Conn., alleging that the article had been shipped by the Charles F. Polk Co., Troy, N. Y., on or about January 5, 1929, and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of petrolatum containing capsicum, methyl salicylate, phenol, camphor, and mydriatic alkaloids.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (tube) "Pneumatica (Pneumo-Gesic Balm) * * * Quick in Action, Certain in Results," (carton) "Pneumatica (Pneumo-Gesic Balm) * * * An external application for Pneumonia, Croup, Asthma, Bronchitis, Rheumatism, Neuritis, Lumbago, Sciatica, Pleurisy, * * * and all Other Forms of Internal Congestion, Inflammation, and Consolidation," (display carton) "Pneumatica * * * for Rheumatism * * * for Neuritis * * * for Lumbago * * * for Bronchitis * * * for Pneumonia * * * for Pleurisy," (circular) "Pneumonia * * * (Pneumo-Gesic Balm) * * * relieves pain and its record in the treatment of Pneumonia during the past twenty years is one of constant success * * * It displaces * * * any kind of external home or professional method for treating internal inflammation or congestion by external application, being more effective than most methods. It is a powerful skin and tissue stimulant, is quick in its action, thus relieving pain instantly and is certain in its results. * * * it has repeatedly proven itself one of the most effective combinations ever manufactured for the external treatment of pains and aches from Congestion, Consolidation, or Inflammation. * * * recommended for its instantaneous action * * * Especial attention of the physician is called to its great value in cases of Pneumonia. Pneumatica * * * is the most valuable first aid for all the complaints mentioned * * * quick action is desired, apply liberally and massage or rub it well into the skin. * * * Has been * * * used in the following complaints: Pneumonia—Apply to chest and back as directed by physician. Rheumatism, Neuralgia.